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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 117]

भोपाल, गुरुवार, दिनांक 19 मार्च 2020—फाल्गुन 29, शक 1941

पिछड़ा वर्ग तथा अल्पसंख्यक कल्याण विभाग

मंत्रालय, वल्लभ भवन, भोपाल

भोपाल, दिनांक 19 मार्च 2020

क्र. 239-646-2019-54-2.—एतद्वारा मसाजिद कमेटी भोपाल, सीहोर, रायसेन के प्रचलित व्यवहार नियम 1960, के स्थान पर THE MOSQUES COMMITTEE OF BHOPAL, RAISEN AND SEHORE DISTRICTS (ammendments) rules 2020 जिन्हें इस अधिसूचना के नीचे क्रमवार वर्णित किया गया है को अधिसूचना के राजपत्र में प्रकाशन की दिनांक से लागू किया जाता है:—

RULES OF BUSINESS OF THE MOSQUES COMMITTEE OF BHOPAL, RAISEN AND SEHORE DISTRICTS

1- NAME :

The Name of the rules shall be "THE MOSQUES COMMITTEE OF BHOPAL, RAISEN AND SEHORE DISTRICTS (ammendments) rules 2020"

2- AIMS AND OBJECT :

- Maintenance and upkeep of the Mosques in Bhopal Raisen and Sehore Districts,
- Performance of all such duties as are incidental or conducive to the attainment of the above subject.

3- FORMATION AND TERM OF COMMITTEE

- The name of the personal of the committee will be published in the state Gazette and it shall consist of following five nominees of the Government:
 - Chairman

- ii) Secretary
- iii) Three Members
- b) The members of the committee shall normally hold office for 2 years.
- c) Provided that a Member shall not withstanding the expiration of his term of office, continue to hold office until the appointment of his successor is notified in the official Gazette,

4- Appointment of Office Bearers:

- a) The Following shall be the office bearers of the committee and they shall serve in an honorary capacity,
 - i) Chairman
 - ii) Secretary
- b) Both the Chairman and Secretary of the Committee shall be appointed by the State Government.
- c) The Members of the Committee shall be appointed by the State Government.
- d) The M.P. Government may remove the Chairman, Secretary or the members by publishing in the official gazette if he-
 - (i) If he be found not eligible.
 - (ii) Some one refuses to work or is not eligible to do such work. Or does not work according to the policy of the Government and after three months' notice, its explanation should not be in the interest of the committee, or
 - (iii) Is not present in three meetings of the committee respectively without any satisfactory reason."
- (e) Honarium and other facilities will be provided to the office bearers and members of the committee as per the corporation boards of M.P. Government."

5- MEETING OF THE COMMITTEE :

- 1) The Committee shall meet for the transaction of business at least once in a month at Bhopal
- 2) The Chairman or in his absence, any member choosen by the Members from amongst themselves, shall preside at a meeting of the committee.
- 3) All question which come before any meeting of the committee shall be decided by a majority of votes of the members present, and in the case of equality of votes the Chairman or in his absence any other person presiding shall have a second or casting vote.

6- PROCEDURE OF METTING :

Ordinary and extra-ordinary meetings :

- a) The notice for an ordinary meeting shall be issued eight days and that for an extra ordinary meeting 24 hours in advance.

- b) The quorum for an ordinary meeting shall be 3 and for an extra-ordinary meeting (even if adjourned) 4.
- c) No quorum shall be necessary for an adjourned ordinary meeting.
- d) The Chairman shall have a casting vote besides his own in case of equal votes.
- e) In case not covered by the rules, generally established procedure will be followed:
- (f) If a decision is not made by consensus, a detailed note will be sent to the Minority Welfare Department of the Madhya Pradesh Government.”.

7- (a) The Secretary shall be the Chief Executive Officer of the Committee but he will obtained the approval by the Chairman in respect of the duties mentioned in 9 below:

(b) His duties shall be :-

“Rule 7 (i) Censure, Warning of the servants concerned.

- (ii) The Committee shall have powers by two third majority of the total number of the total number of the members to impose the following punishment also, viz fine upto 1/10th of monthly Salary.
- (iii) With holding of annual increments, dismissal of all staff Naib Qazi, Mufti, Naib Mufti, Superintendent (Mohatamim) Principal from service.
- (iv) The Committee shall generally control over finance and properties of the institution and shall have power to pass the financial statement and budgets of the institution.
- (v) The Committee will have the right to invest in its own way in State Bank of India or other Co-op. or Nationalised Bank.
- (vi) The Committee shall have the right:
 - (a) Committee may appoint or promote Qazi, Naib Qazi, Mufti, Naib Mufti, Principal and Mohtamim (Superintendent).
 - (b) The class 3 and 4 employee will be temporarily appointed for 89 days. If an employee is not relieved within 89 days, then the appointment will be considered for the next 89 days. And the salary can be determined according to the collector rate or by the committee in the meeting.
 - (c) On being satisfied with the work of the employees of class three and four, the committee can make that employee permanent. After 8 years, permanent employees can be promoted and permanent employees will be given pay scales approved by the government.

- (d) If any Qazi, Mufti etc. goes on long leave, the committee may appoint a Temporarily member in his place during the leave period.
- (e) Retirement age of all employees will be 62 years.
- (Note) The committee can collect funds for the institution in the form of the cost of Nikah Management fees, fatwa fees, Translation fees and forms etc. The income thus incurred can be spent on working expenses and maintenance, Darul Qaza, Darul Ifta and other objectives of Masajid Committee.
- (f) Every year the accounts books will be Supervised by the auditor. The report of the auditor will be sent to the government.
- (vii) It shall have power to frame, alter, revise or cancel Bye-Laws in a way not inconsistent with the spirit and provisions of these Rules.
- (viii) It shall have all residuary powers of control and management of the institution and of appointing sub Committee such as Mohalla Committee, Education Committee for Specific purpose of appearance of moon, which shall be appointed from amongst the serving members of the Committee. It shall not be authorized to correspond direct with the Government but through the Mosques Committee.
- (ix) The Committee may collect funds for the institution.
- (x) All account shall be audited annually by Government Auditors and copy of their report be submitted to Government by the Auditor.
- (xi) The Committee may institute legal proceeding, if necessary in the interest of the institution.
- (xii) An appeal shall lie within two months of the decision of the order of punishment to the Government against the order of the Committee except in cases where censure or warning has been issued."

9- Rights and Duties of Mohtamim (Superintendent):

- (a) He shall have power to censure and then report to the committee.
- (b) He will be fully responsible for establishing discipline in the office and School and internal management of the office and school.
- (c) He will prepare the character of each member of staff and madrasa as per the committee's order. Will give guidance to principal and teachers.
- (d) He shall be personally responsible for proper maintenance of each store

accounts and safe custody of money. The cash balance should be kept in double lock. One key of which should remain with the accountant and the other should be kept by the Mohtamim. Cash balance should be verified by the Mohtamim by actual counting at the end of every month and the stores should be verified physically twice during a financial year.

- (e) He shall have the right to make correspondence with the Government in the absence of the Secretary for general work and other working expenses (excluding financial powers), separate, appoint and transfer the Imam Moazzins with his signature.”.

10- Rights over properties etc.

- a) No purchase or construction of immovable property shall be effected without the sanction of the Committee.
- b) The Committee shall be represented by the Secretary in all legal proceedings.

11- The Financial year shall be from 1st April to 31st March.

12- Accounts:

The accounts shall be audited every year and the audited accounts shall be placed before the Committee. A copy of the same will be sent to the Government.

13- No change in the constitution shall be made unless passed by a majority of two third in the Committee and approved by the Government.

14- The Government of Madhya Pradesh reserve the right to delete add or modify any rule relating to the Committee.

15- Duties of Darul Qaza and Darul Ifta-

- (i) Qazi will advise in the light of Muslim Personnel Law in the dispute of Marriage, Divorce and Separation to the parties.
- (ii) Qazi will act as an arbitrator/ Mediator/ counsellor and will advise, parties Themselves will present their disputes, no advocate will allow.
- (iii) Mufti will issue fatwa according to Muslim Personal Law.”.

16 General Rule-

- (i) Masajid Committee employee will be entitled to avail 13 days casul during a Calendar year. The Mohtamim may grant the casul leave.
- (ii) Any Masajid Committee employee will be eligible to take 15 days leave on full

pay or 1 month leave on half pay on the basis of medical certificate. He shall be eligible for 15 days of earned leaves.

(iii) Holidays shall be observed according to the list prepared by the committee and approved by the Government.

(iv) He will be eligible for special leave of 1 month for Haz pilgrimage along with full salary.”.

Other Privileges:

Member of the staff shall be free to take part in social or educational activities of any kind provided that their work does not suffer thereby and that they do not receive any permission of the Committee.

Contingent Expenditure:

A) The Secretary will exercise full power in respect to contingent expenditure provided that:

18 Contingency expenditure-

- (i) The Secretary shall have full authority in respect of incidental expenditure provided that no expenditure of more than Rs. 25,000/- is incurred on repair or purchase of furniture and appliances or other permanent material.
- (ii) For expenditure beyond the above limit, approval of the committee will be required. The Superintendent / Mohatamim will not have the right to spend more than Rs. 2000 at a time as incidental expenditure.”

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
रमेश एस. शेट्टे, सचिव.